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Attorneys for Defendant Johnson Mai

FILED
JAN 18 2008
RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES,
Plaintiff

v.

JOHNSON MAI,
a/k/a Zhi Xiong Mai
a/k/a Uncle Hong,
a/k/a Chi Hong Mak,
a/k/a Hong Suk;
LISA LEE,
a/k/a Xiao Ling Li;
KAI LUN ZHENG,
a/k/a Wai Keung Cheung,
a/k/a Su Ming,
a/k/a Alan Zheng;
ZHI EN HUANG,
a/k/a Gao Lo;
DAVID YUEN,
a/k/a Lo Wu,
a/k/a Wu So Gor; and
ERIC YU HENG CAI

Defendants.

No: 3-06-70479 MAG

~~PROPOSED~~ ORDER AND STIPULATION
FOR CONTINUANCE FROM JANUARY 21, 22
2008 TO FEBRUARY 12, 2008 AND
EXCLUDING TIME FROM THE SPEEDY
TRIAL ACT CALCULATION (18 U.S.C. §
3161(h)(8)(A) AND WAIVING TIME
LIMITS UNDER RULE 5.1

With the agreement of the parties, and with the consent of the defendants, the Court enters this order scheduling a status conference on February 12, 2008 at 9:30 a.m. before the duty magistrate judge and documenting the defendants' waiver of the preliminary hearing date under Federal Rule of Criminal Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(ii) and (iv), from January 22, 2008 to and through February 12, 2008. The parties agree, and the Court finds

1 and holds, as follows:

2 1. The case is very complex and involves international transactions and shipments, foreign
3 banks and complex monetary transactions, extensive wiretap evidence and conversations in different
4 Chinese language dialects. There are multiple defendants and discovery is voluminous. All defense
5 counsel involved are in need of additional time to prepare the case. Furthermore, the government and
6 defense counsel are actively involved in negotiating the final terms of a global settlement that will
7 resolve all pending charges and forfeiture claims involving all defendants before the court and
8 additional time is necessary to seek approval of the proposed plea and forfeiture agreements with the
9 government.

10 2. All defendants agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
11 3161(h)(8)(B)(ii) on the basis of complexity and (iv) continuity of counsel for effective preparation
12 taking into account the exercise of due diligence.

13 3. The defendants waive the time limits of Federal Rule of Criminal Procedure 5.1 for
14 preliminary hearing.

15 4. Accordingly, and with the consent of all parties, the Court (1) alternatively sets a
16 preliminary hearing before the duty magistrate judge on February 12, 2008 at 9:30 a.m. and (2) orders
17 that the period from January 22, 2008 to and through February 12, 2008 be excluded from the time
18 period for preliminary hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial
19 Act calculations under 18 U.S.C. § 3161(b).

20
21 IT IS SO STIPULATED:

22 DATED: January 18, 2008

23 /s/ Garrick Lew
GARRICK LEW
Attorney for Defendant Johnson Mai

24
25 DATED: January 18, 2008

26 /s/ Gil Eisenberg
GIL EISENBERG
Attorney for Defendant Kai Lun Zheng

27 DATED: January 18, 2008

28 /s/ Brian Getz
BRIAN GETZ
Attorney for Zhi En Huang

1 DATED: January 18, 2008

/s/ Stuart Hanlon
STUART HANLON
Attorney for David Yuen

3 DATED: January 18, 2008

/s/ Randy Montesano
RANDY MONTESANO
Attorney for Eric Cai

5 DATED: January 18, 2008

/s/ Alice Wong
ALICE WONG
Attorney for Lisa Lee

8 DATED: January 18, 2008

/s/ Thomas Mazzucco
THOMAS MAZZUCCO
Assistant United States Attorney

11 IT IS SO ORDERED.

14 DATED:

Jan 18, 2008

Sheila D. Maguire

United States Magistrate Judge